

**FAX TRANSMISSION****DATE:** May 18, 2004**PTO IDENTIFIER:** Application Number 09/202,681  
Patent Number**Inventor:** Eric J. MATHUR et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** MORRISON & FOERSTER LLP

Gregory P. Einhorn

**PHONE:** (858) 720-5133**Attorney Dkt. #:** 564462001001**PAGES (Including Cover Sheet):** 42**CONTENTS:**

Transmittal Form - (1 page)  
Fee Transmittal (1 page + 1 copy for processing)  
Petition for Extension of Time (1 page)  
Response and Amendment (19 pages)  
Example 14 of USPTO Written Description Guidelines (3 pgs)  
Rule 132 Declaration By Dr. Jay Short (unsigned) and resume (15 pgs)

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**MORRISON & FOERSTER LLP**

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PTO/SB/21 (08-03)

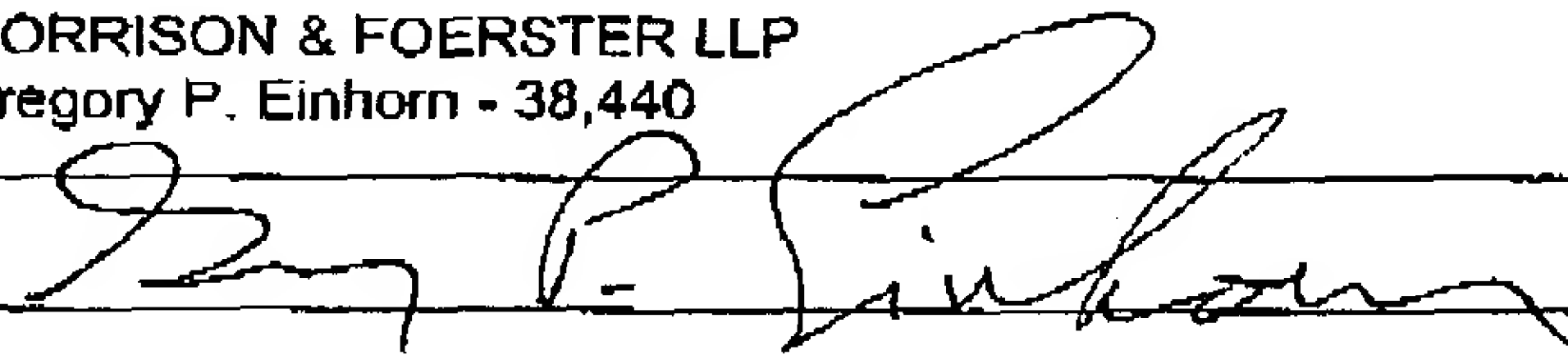
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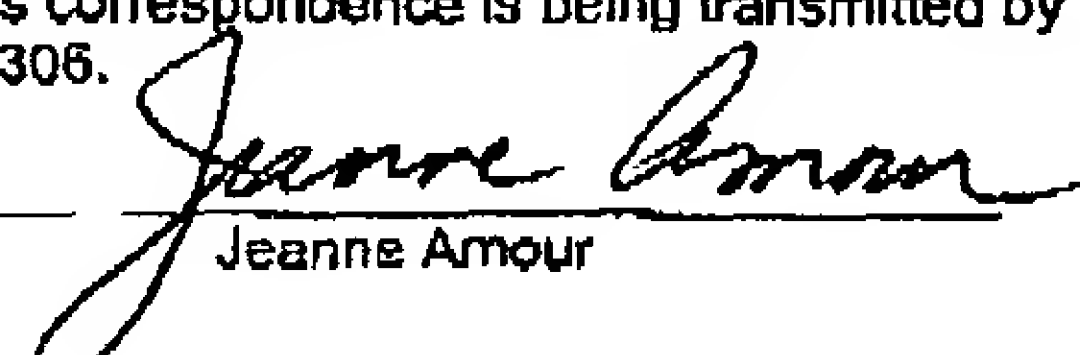
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/202,681	
	Filing Date	December 23, 1999	
	First Named Inventor	Eric J. MATHUR	
	Art Unit	1652	
	Examiner Name	R. G. Hutson	
Total Number of Pages in This Submission	41	Attorney Docket Number	564462001001

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form - 1 pg.+1 cpy <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply - 19 pgs. <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request - 1pg. <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Example 14 of USPTO Written Description Guidelines 3 pgs; Rule 132 declaration by Dr. Jay Short and resume 15 pgs; Fax cover sheet
Remarks  CUSTOMER NUMBER 25225		


SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Gregory P. Einhorn - 38,440
Signature	
Date	May 18, 2004

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5/18/04	
Date of Transmission	Jeanne Amour

SD-199824

PTO/SB/17 (10-03)  
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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004 <small>Effective 10/01/2003, Patent fees are subject to annual revision.</small>		Complete if Known					
		Application Number	09/202,681				
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	December 23, 1999				
		First Named Inventor	Eric J. MATHUR				
		Examiner Name	R. G. Hutson				
TOTAL AMOUNT OF PAYMENT (\$)		210.00	Art Unit	1652			
METHOD OF PAYMENT (check all that apply)		Attorney Docket No.		564462001001			
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		FEE CALCULATION (continued)					
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP		3. ADDITIONAL FEES					
The Director is authorized to: (check all that apply)		Large Entity Small Entity					
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		Fee Code	Fee (\$)	Fee Code Fee (\$)	Fee Description	Fee Paid	
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)		1051	130	2051	65	Surcharge - late filing fee or oath	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
FEE CALCULATION		1053	130	1053	130	Non-English specification	
1. BASIC FILING FEE		1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
Large Entity	Small Entity	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Fee Code	Fee (\$)	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1001	770	2001	385			Utility filing fee	
1002	340	2002	170			Design filing fee	
1003	530	2003	265			Plant filing fee	
1004	770	2004	385			Reissue filing fee	
1005	160	2005	80			Provisional filing fee	
SUBTOTAL (1) (\$)		0.00					
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE							
Total Claims	** =	Extra Claims	Fee from below	Fee Paid			
Independent Claims	** =						
Multiple Dependent							
Large Entity	Small Entity						
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description			
1202	18	2202	9	Claims in excess of 20			
1201	86	2201	43	Independent claims in excess of 3			
1203	290	2203	145	Multiple dependent claim, if not paid			
1204	86	2204	43	** Reissue independent claims over original patent			
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent			
SUBTOTAL (2) (\$)		0.00					
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)					210.00
SUBMITTED BY		(Complete if applicable)					
Name (Print/Type)	Gregory P. Einhorn	Registration No. (Attorney/Agent)	38,440	Telephone	(858) 720-5133		
Signature		Date	May 18, 2004				

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 210.00

## Complete if Known

Application Number 09/202,681  
 Filing Date December 23, 1999  
 First Named Inventor Eric J. MATHUR  
 Examiner Name R. G. Hutson  
 Art Unit 1652  
 Attorney Docket No. 564462001001

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit Account Number

03-1952

Deposit Account Name

Morrison &amp; Foerster LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	** =	x	=
Independent Claims	** =	x	=
Multiple Dependent		=	=

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	Reissue independent claims over original patent
1205	18	2205	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	210.00
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(a)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(p))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 210.00

## SUBMITTED BY

Name (Print/Type) Gregory P. Einhorn

Registration No. (Attorney/Agent)

38,440

(Complete if applicable)

Telephone (858) 720-5133

Signature

Date

May 18, 2004

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<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		<b>Docket No. (Optional)</b> 564462001001	
In re Application of Eric J. MATHUR et al.			
Application Number 09/202,681		Filed December 23, 1999	
For: THERMOSTABLE PHOSPHATASES			
Art Unit	1852	Examiner	R. G. Hutson

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$	
<input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$	420.00
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$	
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$	
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$	

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 210.00

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 03-1952

~~I have enclosed a duplicate copy of this sheet.~~ Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

I am the ☐ applicant/inventor.

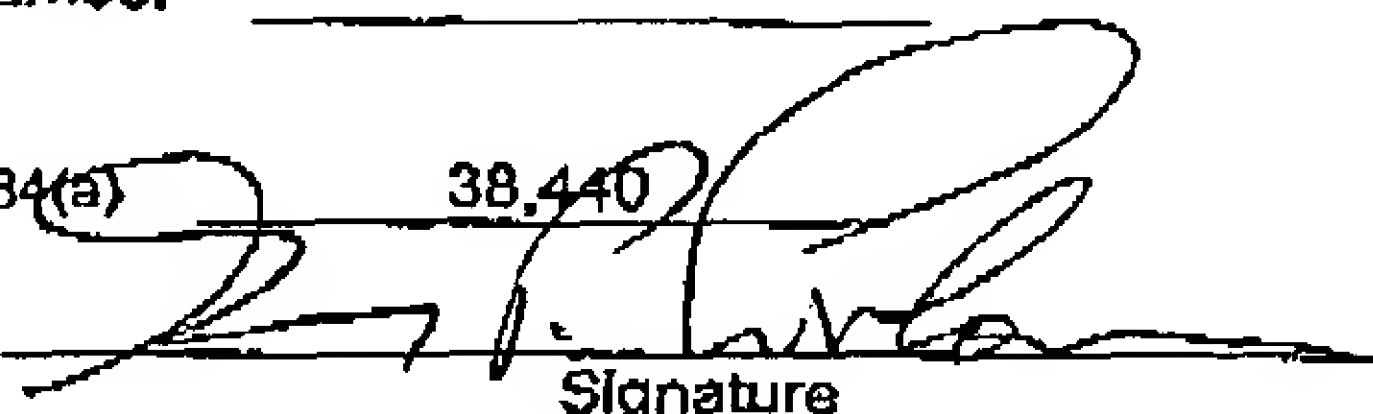
☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☐ attorney or agent of record. Registration Number

☒ attorney or agent under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) 38,440

May 18, 2004  
Date

(858) 720-5133  
Telephone Number

  
Signature

Gregory P. Einhorn  
Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below

☐ Total of 1 forms are submitted.

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